

CHAPTER 3-04-06 OTHER RESPONSIBILITIES AND PRACTICES

Section

3-04-06-01	Discreditable Acts
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3-04-06-01. Discreditable acts. An accountant shall not commit an act discreditable to the profession.

General Authority: NDCC 43-02.2-03

Law Implemented: NDCC 43-02.2-03

3-04-06-02. Advertising and other forms of solicitation. An accountant shall not seek to obtain clients by advertising or other forms of solicitation in a manner that is false, misleading, or deceptive.

History: Amended effective July 1, 1981.

General Authority: NDCC 43-02.2-03

Law Implemented: NDCC 43-02.2-03

3-04-06-03. Commission and referral fees. An accountant may not receive or pay a commission or referral fee in connection with:

1. An audit or review of a financial statement;
2. A compilation of a financial statement when the accountant expects, or reasonably might expect, that a third party will use the financial statement and the accountant's compilation report does not disclose a lack of independence; or
3. An examination of prospective financial information.

An accountant in public practice who is not prohibited by this section from performing services for a commission or receiving a commission and who is paid or expects to be paid a commission shall disclose that fact to any person or entity to whom the accountant recommends or refers a product or service to which the commission relates.

Any accountant who accepts a referral fee for recommending or referring any service of a CPA or LPA to any person or entity or who pays a referral fee to obtain a client shall disclose such acceptance or payment to the client.

History: Amended effective July 1, 1991; March 1, 1995; October 1, 1999.

General Authority: NDCC 43-02.2-03

Law Implemented: NDCC 43-02.2-03

3-04-06-04. Incompatible occupations. Repealed effective October 1, 1999.

3-04-06-05. Form of practice - Name. Repealed effective October 1, 1999.